		Application No.	Applicant(s)
˙ʌ	**Notice of Allowability**	10/708,726	OVERBY, TERRY A.
		Examiner	Art Unit
		Jaime M. Holliday	2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to <u>4/14/06</u>.

2. ☒ The allowed claim(s) is/are <u>7, 8 and 10-29</u>.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

Response to Amendment

Response to Arguments

1.   Applicant's arguments filed April 14, 2006, with respect to **claims 1-34** have been fully considered and are persuasive. The 35 USC § 103(a) rejections have been withdrawn.

Allowable Subject Matter

2.   **Claims 7, 8 and 10-29** are allowed and they are renumbered as follows 1, 2 and 3-22, respectively.

3.   The following is an examiner's statement of reasons for allowance:

Consider **claim 7**, the best prior art found during the examination of the present application, the combination of Moles et al. (Pub # U.S. 2003/0162533 A1) and Carroll (U.S. Patent # 6,487,403 B2) in view of Tordera (U.S. Patent # 6,889,058 B2), and in further view of Lipsit (U.S. Patent # 5,974,311), fail to specifically show, disclose, or suggest the claimed process for generating a build request.

Moles et al. clearly show and disclose a service provisioning system for use in a wireless network comprising a provisioning controller **305** that operates under the control of provisioning server application program **315** to provide provisioning services for wireless network **100**, and creates MS **112** service provisioning file **330**, reading on the claimed "build request;" in response to a provisioning request for the mobile station

(MS). The service provisioning file comprises provisioning data used to configure the

first mobile station to communicate with the wireless network. The service provisioning

system further comprises a database capable of storing the service provisioning file,

which further comprises a mobile station service provisioning program. The

provisioning controller is further capable of retrieving the service provisioning file from

the database and transmitting the service provisioning file to the first mobile station.

Memory **460**, in the mobile station, also stores downloaded service provisioning (prov.)

file **470** and mobile station configuration data file **475**, reading on the claimed

"automated method of provisioning radiotelephone handset units, comprising:

generating a build request comprising a radiotelephone handset specification and

provisioning and instruction data for the specified handset; storing the build request in a

memory storage medium in communication with a computerized provisioning system;

retrieving data from the build request; and, automatically transferring the provisioning

data to memory storage of the connected handset in accordance with the instruction

data," (abstract, figure 3, 4 and 5, paragraphs 19, 20, 57 and 67).

Carroll clearly shows and discloses a system and method that efficiently and

securely perform provisioning of cellular telephones and other wireless communication

devices. System processing for provisioning a wireless device according to the present

invention is carried out by a program executed by the computer **516**, but requires

human intervention at some points; the WUPD **306** (Wireless Universal Provisioning

Device) prompts a sales agent or operator to enter the type of device being provisioned.

The sales agent/operator targets the cellular telephone **308** to be activated. This can be

done by aiming the antenna of the transceiver **514** to the cellular telephone, or by using

a clip-on antenna to physically connect the WUPD's transceiver antenna to the cellular

telephone's antenna, reading on the claimed "connecting the provisioning system to a

handset in accordance with the build request specification," (figure 5 and 6, column 3

lines 62-64, column 6 line 53- column 7 line 4). After the WUPD transfers the

necessary provisioning information to the target telephone using the telephone's air

interface protocol, both the target cellular telephone and the WUPD indicate on their

respective displays that the provisioning operation is complete after sending notification

signals to each other, reading on the claimed "disconnecting the provisioned handset

from the provisioning system," (figure 6, column 7 lines 28-30 and 44-48).

Tordera clearly shows and discloses a system **10**, that includes a communication

interface device **12** engageable with a user terminal **14** potentially having access to a

computer program product **15** for establishing wireless communication between the

terminal **14** and a base station **16** of a wireless network **18**, reading on the claimed

"provisioning radiotelephone handsets," (fig. 5, col. 3 lines 10-15). Interface device can

include a first computer communication interface component, such as a PCMCIA card

20, which defines a first interface format. Also, the device includes a second computer

communication interface component such as a universal serial bus (USB) connector **22**,

which defines a second interface format, reading on the claimed "computerized system

having a universal connector," (fig. 1, col. 3 lines 28-35). The USB "A" plug **24** can be

engaged with a USB receptacle of the user terminal to establish wireless

communication between the user terminal and the base station using the second

interface format, reading on the claimed "connecting the universal connector of the provisioning system to a handset," (col. 4 lines 5-8).

Lipsit clearly shows and discloses a method and apparatus for programming a cellular telephone with activation parameters, reading on the claimed "build request," in which the cellular telephone to be programmed is connected to a computer via a communications interface. The computer determines the activation parameters based on the inputted programming information, and transmits the activation parameters to the telephone for storage in the cellular telephone memory. The user inputted programming information may include the cellular telephone type reading on the claimed "build request generation comprises selecting a handset manufacturer's model number," (abstract, column 2 lines 49-51 and 56-60).

The combination of Moles and Carroll, in view of Tordera, and in further view of Lipsit, however, lacks the claimed steps of entering a production build request number; entering a quantity of phones to provision; selecting a carrier type; selecting a customer; entering a starting part number; entering a final part number; selecting a handset manufacturer; selecting a handset technology; and selecting a handset manufacturer's model number, therefore these limitations, in conjunction with the other limitations recited in claim 7, are novel and unobvious in view of the combination of Moles, Carroll, Tordera and Lipsit.

Consider **claim 12**, the best prior art found during the examination of the present application, the combination of Moles et al. (Pub # U.S. 2003/0162533 A1) and Carroll (U.S. Patent # 6,487,403 B2) in view of Tordera (U.S. Patent # 6,889,058 B2), and in

further view of Lipsit (U.S. Patent # 5,974,311), fail to specifically show, disclose, or

suggest the claimed process for data retrieval.

Moles et al. clearly show and disclose a service provisioning system for use in a

wireless network comprising a provisioning controller 305 that operates under the

control of provisioning server application program 315 to provide provisioning services

for wireless network 100, and creates MS 112 service provisioning file 330, reading on

the claimed "build request," in response to a provisioning request for the mobile station

(MS).   The service provisioning file comprises provisioning data used to configure the

first mobile station to communicate with the wireless network. The service provisioning

system further comprises a database capable of storing the service provisioning file,

which further comprises a mobile station service provisioning program. The

provisioning controller is further capable of retrieving the service provisioning file from

the database and transmitting the service provisioning file to the first mobile station.

Memory 460, in the mobile station, also stores downloaded service provisioning (prov.)

file 470 and mobile station configuration data file 475, reading on the claimed

"automated method of provisioning radiotelephone handset units, comprising:

generating a build request comprising a radiotelephone handset specification and

provisioning and instruction data for the specified handset; storing the build request in a

memory storage medium in communication with a computerized provisioning system;

retrieving data from the build request; and, automatically transferring the provisioning

data to memory storage of the connected handset in accordance with the instruction

data," (abstract, figure 3, 4 and 5, paragraphs 19, 20, 57 and 67).

Carroll clearly shows and discloses a system and method that efficiently and

securely perform provisioning of cellular telephones and other wireless communication

devices. System processing for provisioning a wireless device according to the present

invention is carried out by a program executed by the computer **516**, but requires

human intervention at some points; the WUPD **306** (Wireless Universal Provisioning

Device) prompts a sales agent or operator to enter the type of device being provisioned.

The sales agent/operator targets the cellular telephone **308** to be activated. This can be

done by aiming the antenna of the transceiver **514** to the cellular telephone, or by using

a clip-on antenna to physically connect the WUPD's transceiver antenna to the cellular

telephone's antenna, reading on the claimed "connecting the provisioning system to a

handset in accordance with the build request specification," (figure 5 and 6, column 3

lines 62-64, column 6 line 53- column 7 line 4). After the WUPD transfers the

necessary provisioning information to the target telephone using the telephone's air

interface protocol, both the target cellular telephone and the WUPD indicate on their

respective displays that the provisioning operation is complete after sending notification

signals to each other, reading on the claimed "disconnecting the provisioned handset

from the provisioning system," (figure 6, column 7 lines 28-30 and 44-48).

Tordera clearly shows and discloses a system **10**, that includes a communication

interface device **12** engageable with a user terminal **14** potentially having access to a

computer program product **15** for establishing wireless communication between the

terminal **14** and a base station **16** of a wireless network **18**, reading on the claimed

"provisioning radiotelephone handsets," (fig. 5, col. 3 lines 10-15). Interface device can

include a first computer communication interface component, such as a PCMCIA card

20, which defines a first interface format. Also, the device includes a second computer

communication interface component such as a universal serial bus (USB) connector **22**,

which defines a second interface format, reading on the claimed "computerized system

having a universal connector," (fig. 1, col. 3 lines 28-35). The USB "A" plug **24** can be

engaged with a USB receptacle of the user terminal to establish wireless

communication between the user terminal and the base station using the second

interface format, reading on the claimed "connecting the universal connector of the

provisioning system to a handset," (col. 4 lines 5-8).

Lipsit clearly shows and discloses a method and apparatus for programming a

cellular telephone with activation parameters, reading on the claimed "build request," in

which the cellular telephone to be programmed is connected to a computer via a

communications interface. The computer determines the activation parameters based

on the inputted programming information, and transmits the activation parameters to the

telephone for storage in the cellular telephone memory. The user enters a cellular

telephone type in the area **404** of the user interface **400**. A picture of the telephone

selected by the user is displayed in area **408** of the user interface. When the user

selects a telephone type the appropriate graphics file is accessed, reading on the

claimed "data retrieval comprises displaying an image of the handset model," (abstract,

figures 3A and 4, column 2 lines 56-60 and column 5 lines 40-65).

The combination of Moles and Carroll, in view of Tordera, and in further view of

Lipsit, however, lacks the claimed steps of selecting a production build request number;

displaying the final part number; displaying the handset manufacturer; displaying the

handset manufacturer's model number; displaying an image of the handset model; and

displaying the customer name, therefore these limitations, in conjunction with the other

limitations recited in claim 12, are novel and unobvious in view of the combination of

Moles, Carroll, Tordera and Lipsit.

Consider **claim 13**, the best prior art found during the examination of the present

application, the combination of Moles et al. (Pub # U.S. 2003/0162533 A1) and Carroll

(U.S. Patent # 6,487,403 B2) in view of Tordera (U.S. Patent # 6,889,058 B2), fail to

specifically show, disclose, or suggest the claimed limitation of the build request

generation and storage is performed by one person and data retrieval by another.

Moles et al. clearly show and disclose a service provisioning system for use in a

wireless network comprising a provisioning controller **305** that operates under the

control of provisioning server application program **315** to provide provisioning services

for wireless network **100**, and creates MS **112** service provisioning file **330**, reading on

the claimed "build request," in response to a provisioning request for the mobile station

(MS).   The service provisioning file comprises provisioning data used to configure the

first mobile station to communicate with the wireless network. The service provisioning

system further comprises a database capable of storing the service provisioning file,

which further comprises a mobile station service provisioning program. The

provisioning controller is further capable of retrieving the service provisioning file from

the database and transmitting the service provisioning file to the first mobile station.

Memory **460**, in the mobile station, also stores downloaded service provisioning (prov.)

file **470** and mobile station configuration data file **475**, reading on the claimed

"automated method of provisioning radiotelephone handset units, comprising:

generating a build request comprising a radiotelephone handset specification and

provisioning and instruction data for the specified handset; storing the build request in a

memory storage medium in communication with a computerized provisioning system;

retrieving data from the build request; and, automatically transferring the provisioning

data to memory storage of the connected handset in accordance with the instruction

data," (abstract, figure 3, 4 and 5, paragraphs 19, 20, 57 and 67).

Carroll clearly shows and discloses a system and method that efficiently and

securely perform provisioning of cellular telephones and other wireless communication

devices. System processing for provisioning a wireless device according to the present

invention is carried out by a program executed by the computer **516**, but requires

human intervention at some points; the WUPD **306** (Wireless Universal Provisioning

Device) prompts a sales agent or operator to enter the type of device being provisioned.

The sales agent/operator targets the cellular telephone **308** to be activated. This can be

done by aiming the antenna of the transceiver **514** to the cellular telephone, or by using

a clip-on antenna to physically connect the WUPD's transceiver antenna to the cellular

telephone's antenna, reading on the claimed "connecting the provisioning system to a

handset in accordance with the build request specification," (figure 5 and 6, column 3

lines 62-64, column 6 line 53- column 7 line 4). After the WUPD transfers the

necessary provisioning information to the target telephone using the telephone's air

interface protocol, both the target cellular telephone and the WUPD indicate on their

respective displays that the provisioning operation is complete after sending notification signals to each other, reading on the claimed "disconnecting the provisioned handset from the provisioning system," (figure 6, column 7 lines 28-30 and 44-48).

Tordera clearly shows and discloses a system **10**, that includes a communication interface device **12** engageable with a user terminal **14** potentially having access to a computer program product **15** for establishing wireless communication between the terminal **14** and a base station **16** of a wireless network **18**, reading on the claimed "provisioning radiotelephone handsets," (fig. 5, col. 3 lines 10-15). Interface device can include a first computer communication interface component, such as a PCMCIA card **20**, which defines a first interface format. Also, the device includes a second computer communication interface component such as a universal serial bus (USB) connector **22**, which defines a second interface format, reading on the claimed "computerized system having a universal connector," (fig. 1, col. 3 lines 28-35). The USB "A" plug **24** can be engaged with a USB receptacle of the user terminal to establish wireless communication between the user terminal and the base station using the second interface format, reading on the claimed "connecting the universal connector of the provisioning system to a handset," (col. 4 lines 5-8).

The combination of Moles and Carroll, in view of Tordera, however, lacks the claimed features of build request generation and storage being performed by a first person, and data retrieval and handset connection being performed by the second person, therefore this limitation, in conjunction with the other limitations recited in claim 13, are novel and unobvious in view of the combination of Moles, Carroll and Tordera.

Consider **claim 14**, the best prior art found during the examination of the present application, the combination of Moles et al. (Pub # U.S. 2003/0162533 A1) and Carroll (U.S. Patent # 6,487,403 B2) in view of Tordera (U.S. Patent # 6,889,058 B2), fail to specifically show, disclose, or suggest the claimed limitation of verifying provisioning data integrity.

Moles et al. clearly show and disclose a service provisioning system for use in a wireless network comprising a provisioning controller **305** that operates under the control of provisioning server application program **315** to provide provisioning services for wireless network **100**, and creates MS **112** service provisioning file **330**, reading on the claimed "build request," in response to a provisioning request for the mobile station (MS).   The service provisioning file comprises provisioning data used to configure the first mobile station to communicate with the wireless network. The service provisioning system further comprises a database capable of storing the service provisioning file, which further comprises a mobile station service provisioning program. The provisioning controller is further capable of retrieving the service provisioning file from the database and transmitting the service provisioning file to the first mobile station. Memory **460**, in the mobile station, also stores downloaded service provisioning (prov.) file **470** and mobile station configuration data file **475**, reading on the claimed "automated method of provisioning radiotelephone handset units, comprising: ۱ generating a build request comprising a radiotelephone handset specification and provisioning and instruction data for the specified handset; storing the build request in a memory storage medium in communication with a computerized provisioning system;

retrieving data from the build request; and, automatically transferring the provisioning

data to memory storage of the connected handset in accordance with the instruction

data," (abstract, figure 3, 4 and 5, paragraphs 19, 20, 57 and 67).

Carroll clearly shows and discloses a system and method that efficiently and

securely perform provisioning of cellular telephones and other wireless communication

devices. System processing for provisioning a wireless device according to the present

invention is carried out by a program executed by the computer **516**, but requires

human intervention at some points; the WUPD **306** (Wireless Universal Provisioning

Device) prompts a sales agent or operator to enter the type of device being provisioned.

The sales agent/operator targets the cellular telephone **308** to be activated. This can be

done by aiming the antenna of the transceiver **514** to the cellular telephone, or by using

a clip-on antenna to physically connect the WUPD's transceiver antenna to the cellular

telephone's antenna, reading on the claimed "connecting the provisioning system to a

handset in accordance with the build request specification," (figure 5 and 6, column 3

lines 62-64, column 6 line 53- column 7 line 4). After the WUPD transfers the

necessary provisioning information to the target telephone using the telephone's air

interface protocol, both the target cellular telephone and the WUPD indicate on their

respective displays that the provisioning operation is complete after sending notification

signals to each other, reading on the claimed "disconnecting the provisioned handset

from the provisioning system," (figure 6, column 7 lines 28-30 and 44-48).

Tordera clearly shows and discloses a system **10**, that includes a communication

interface device **12** engageable with a user terminal **14** potentially having access to a

computer program product **15** for establishing wireless communication between the

terminal **14** and a base station **16** of a wireless network **18**, reading on the claimed

"provisioning radiotelephone handsets," (fig. 5, col. 3 lines 10-15). Interface device can

include a first computer communication interface component, such as a PCMCIA card

20, which defines a first interface format. Also, the device includes a second computer

communication interface component such as a universal serial bus (USB) connector **22**,

which defines a second interface format, reading on the claimed "computerized system

having a universal connector," (fig. 1, col. 3 lines 28-35). The USB "A" plug **24** can be

engaged with a USB receptacle of the user terminal to establish wireless

communication between the user terminal and the base station using the second

interface format, reading on the claimed "connecting the universal connector of the

provisioning system to a handset," (col. 4 lines 5-8).

The combination of Moles and Carroll, in view of Tordera, however, lacks the

claimed feature of inspecting the memory storage of the handset to verify provisioning

data integrity, therefore this limitation, in conjunction with the other limitations recited in

claim 14, are novel and unobvious in view of the combination of Moles, Carroll and

Tordera.

Consider **claim 16**, the best prior art found during the examination of the present

application, the combination of Moles et al. (Pub # U.S. 2003/0162533 A1) and Carroll

(U.S. Patent # 6,487,403 B2) in view of Tordera (U.S. Patent # 6,889,058 B2), fail to

specifically show, disclose, or suggest the claimed steps of the method of inspection of

a plurality of provisioned handsets.

Moles et al. clearly show and disclose a service provisioning system for use in a

wireless network comprising a provisioning controller **305** that operates under the

control of provisioning server application program **315** to provide provisioning services

for wireless network **100**, and creates MS **112** service provisioning file **330**, reading on

the claimed "build request," in response to a provisioning request for the mobile station

(MS).   The service provisioning file comprises provisioning data used to configure the

first mobile station to communicate with the wireless network. The service provisioning

system further comprises a database capable of storing the service provisioning file,

which further comprises a mobile station service provisioning program. The

provisioning controller is further capable of retrieving the service provisioning file from

the database and transmitting the service provisioning file to the first mobile station.

Memory **460**, in the mobile station, also stores downloaded service provisioning (prov.)

file **470** and mobile station configuration data file **475**, reading on the claimed

"automated method of provisioning radiotelephone handset units, comprising:

generating a build request comprising a radiotelephone handset specification and

provisioning and instruction data for the specified handset; storing the build request in a

memory storage medium in communication with a computerized provisioning system;

retrieving data from the build request; and, automatically transferring the provisioning

data to memory storage of the connected handset in accordance with the instruction

data," (abstract, figure 3, 4 and 5, paragraphs 19, 20, 57 and 67).

Carroll clearly shows and discloses a system and method that efficiently and

securely perform provisioning of cellular telephones and other wireless communication

devices. System processing for provisioning a wireless device according to the present

invention is carried out by a program executed by the computer **516**, but requires

human intervention at some points; the WUPD **306** (Wireless Universal Provisioning

Device) prompts a sales agent or operator to enter the type of device being provisioned.

The sales agent/operator targets the cellular telephone **308** to be activated. This can be

done by aiming the antenna of the transceiver **514** to the cellular telephone, or by using

a clip-on antenna to physically connect the WUPD's transceiver antenna to the cellular

telephone's antenna, reading on the claimed "connecting the provisioning system to a

handset in accordance with the build request specification," (figure 5 and 6, column 3

lines 62-64, column 6 line 53- column 7 line 4). After the WUPD transfers the

necessary provisioning information to the target telephone using the telephone's air

interface protocol, both the target cellular telephone and the WUPD indicate on their

respective displays that the provisioning operation is complete after sending notification

signals to each other, reading on the claimed "disconnecting the provisioned handset

from the provisioning system," (figure 6, column 7 lines 28-30 and 44-48).

Tordera clearly shows and discloses a system **10**, that includes a communication

interface device **12** engageable with a user terminal **14** potentially having access to a

computer program product **15** for establishing wireless communication between the

terminal **14** and a base station **16** of a wireless network **18**, reading on the claimed

"provisioning radiotelephone handsets," (fig. 5, col. 3 lines 10-15). Interface device can

include a first computer communication interface component, such as a PCMCIA card

20, which defines a first interface format. Also, the device includes a second computer

communication interface component such as a universal serial bus (USB) connector **22**,

which defines a second interface format, reading on the claimed "computerized system

having a universal connector," (fig. 1, col. 3 lines 28-35). The USB "A" plug **24** can be

engaged with a USB receptacle of the user terminal to establish wireless

communication between the user terminal and the base station using the second

interface format, reading on the claimed "connecting the universal connector of the

provisioning system to a handset," (col. 4 lines 5-8).

The combination of Moles and Carroll, in view of Tordera, however, lacks the

claimed steps of entering a production build request number; connecting a provisioned

handset selected from said plurality of provisioned handsets according to the build

request data associated with the production build request number; comparing the

provisioning information in the memory storage of the provisioned handset to the

provisioning data associated with the production build request number; marking the

handset with a passing indicator the provisioning information matches the provisioning

data; marking the handset with a failed indicator if the provisioning information differs

from the provisioning data; repeating the connection, comparison, and marking on

additional handsets for the production build request number; determining whether the

production build request passes or fails based on the instruction data associated with

the production build request number and returning a pass/fail for the production build

request; sending failed handsets from a passing production build request to a repair

station; and sending handsets from a failing production build request to an area for

segregation, therefore these limitations, in conjunction with the other limitations recited

in claim 16, are novel and unobvious in view of the combination of Moles, Carroll and

Tordera.

Consider **claim 18**, the best prior art found during the examination of the present

application, the combination of Moles et al. (Pub # U.S. 2003/0162533 A1) and Carroll

(U.S. Patent # 6,487,403 B2) in view of Tordera (U.S. Patent # 6,889,058 B2), fail to

specifically show, disclose, or suggest all of the claimed steps of the method for

provisioning a plurality of radiotelephone handset units.

Moles et al. clearly show and disclose a service provisioning system for use in a

wireless network comprising a provisioning controller **305** that operates under the

control of provisioning server application program **315** to provide provisioning services

for wireless network **100**, and creates MS **112** service provisioning file **330**, reading on

the claimed "build request," in response to a provisioning request for the mobile station

(MS).   The service provisioning file comprises provisioning data used to configure the

first mobile station to communicate with the wireless network. The service provisioning

system further comprises a database capable of storing the service provisioning file,

which further comprises a mobile station service provisioning program. The

provisioning controller is further capable of retrieving the service provisioning file from

the database and transmitting the service provisioning file to the first mobile station.

Memory **460**, in the mobile station, also stores downloaded service provisioning (prov.)

file **470** and mobile station configuration data file **475**, reading on the claimed

"automated method of provisioning radiotelephone handset units, comprising:

generating a build request comprising a radiotelephone handset specification and

provisioning and instruction data for the specified handset; storing the build request in a

memory storage medium in communication with a computerized provisioning system;

retrieving data from the build request; and, automatically transferring the provisioning

data to memory storage of the connected handset in accordance with the instruction

data," (abstract, figure 3, 4 and 5, paragraphs 19, 20, 57 and 67).

Carroll clearly shows and discloses a system and method that efficiently and

securely perform provisioning of cellular telephones and other wireless communication

devices. System processing for provisioning a wireless device according to the present

invention is carried out by a program executed by the computer **516**, but requires

human intervention at some points; the WUPD **306** (Wireless Universal Provisioning

Device) prompts a sales agent or operator to enter the type of device being provisioned.

The sales agent/operator targets the cellular telephone **308** to be activated. This can be

done by aiming the antenna of the transceiver **514** to the cellular telephone, or by using

a clip-on antenna to physically connect the WUPD's transceiver antenna to the cellular

telephone's antenna, reading on the claimed "connecting the provisioning system to a

handset in accordance with the build request specification," (figure 5 and 6, column 3

lines 62-64, column 6 line 53- column 7 line 4). After the WUPD transfers the

necessary provisioning information to the target telephone using the telephone's air

interface protocol, both the target cellular telephone and the WUPD indicate on their

respective displays that the provisioning operation is complete after sending notification

signals to each other, reading on the claimed "disconnecting the provisioned handset

from the provisioning system," (figure 6, column 7 lines 28-30 and 44-48).

Tordera clearly shows and discloses a system **10**, that includes a communication

interface device **12** engageable with a user terminal **14** potentially having access to a

computer program product **15** for establishing wireless communication between the

terminal **14** and a base station **16** of a wireless network **18**, reading on the claimed

"provisioning radiotelephone handsets," (fig. 5, col. 3 lines 10-15). Interface device can

include a first computer communication interface component, such as a PCMCIA card

20, which defines a first interface format. Also, the device includes a second computer

communication interface component such as a universal serial bus (USB) connector **22**,

which defines a second interface format, reading on the claimed "computerized system

having a universal connector," (fig. 1, col. 3 lines 28-35). The USB "A" plug **24** can be

engaged with a USB receptacle of the user terminal to establish wireless

communication between the user terminal and the base station using the second

interface format, reading on the claimed "connecting the universal connector of the

provisioning system to a handset," (col. 4 lines 5-8).

The combination of Moles and Carroll, in view of Tordera, however, lacks the

claimed steps of selecting an available one of the build requests from the storage

medium; displaying handset specification data from the selected build request; and

querying the connected handset via the provisioning system to compare connected

handset specification data with the build request specification data, therefore these

limitations, in conjunction with the other limitations recited in claim 18, are novel and

unobvious in view of the combination of Moles, Carroll and Tordera.

Consider **claim 29**, the best prior art found during the examination of the present

application, the combination of Moles et al. (Pub # U.S. 2003/0162533 A1) and Tordera

(U.S. Patent # 6,889,058 B2), in view of Lipsit (U.S. Patent # 5,974,311), fail to

specifically show, disclose, or suggest the claimed step of querying a connected

handset and comparing its specification data with the build request specification data.

Moles et al. clearly show and disclose a service provisioning system for use in a

wireless network comprising a provisioning controller that operates under the control of

provisioning server application program to provide provisioning services for wireless

network. The service provisioning system further comprises a database capable of

storing the service provisioning file, which further comprises a mobile station service

provisioning program. The provisioning controller is further capable of retrieving the

service provisioning file from the database and transmitting the service provisioning file

to the first mobile station. Memory, in the mobile station, also stores downloaded

service provisioning (prov.) file and mobile station configuration data file, reading on the

claimed "method for provisioning radiotelephone handset units, comprising: computer in

communication with a memory storage medium containing provisioning and instruction

data for the radiotelephone handset; and automatically transferring provisioning data to

handset memory storage in accordance with the instruction data," (abstract, figure 3, 4

and 5, paragraphs 19, 20, 57 and 67). Moles et al. further disclose that the service

provisioning system creates MS service provisioning file, reading on the claimed "build

request," in response to a provisioning request for the mobile station (MS). The service

provisioning file comprises provisioning data used to configure the first mobile station to

communicate with the wireless network, reading on the claimed "generating a plurality

of build requests comprising radiotelephone handset specification data and provisioning

and instruction data for each specified handset," (paragraphs 19, 20 and 57). Moles et

al. further disclose that the service provisioning system further comprises a database

capable of storing the service provisioning file, which further comprises a mobile station

service provisioning program, reading on the claimed "storing the build requests in the

memory storage medium," (paragraph 19). Moles et al. further disclose that the

provisioning controller is further capable of retrieving the service provisioning file from

the database and transmitting the service provisioning file to the first mobile station,

reading on the claimed "selecting an available build request from the memory storage

medium," (paragraph 19).

Tordera clearly shows and discloses a system, that includes a communication

interface device engageable with a user terminal potentially having access to a

computer program product for establishing wireless communication between the

terminal and a base station of a wireless network, reading on the claimed "provisioning

radiotelephone handset units," (fig. 5, col. 3 lines 10-15). Interface device can include a

first computer communication interface component, such as a PCMCIA card, which

defines a first interface format. Also, the device includes a second computer

communication interface component such as a universal serial bus (USB) connector,

which defines a second interface format (fig. 1, col. 3 lines 28-35). The USB "A" plug

can be engaged with a USB receptacle of the user terminal to establish wireless

communication between the user terminal and the base station using the second

interface format. The user terminal can determine whether the interface device is

engaged with the terminal. If it is determined that the PCMCIA card has been engaged

with the terminal, a PCMCIA software driver module is invoked. On the other hand, if it

is determined that the device is engaged with the terminal via another connection (e.g.,

USB), then the appropriate software driver module is invoked, reading on the claimed

"method for provisioning radiotelephone handset units of varying model, manufacturer,

and platform, comprising: connecting a radiotelephone handset to a universal connector

interface having at least one universal connector adapted for connection to

radiotelephone handsets having different specifications; operably connecting the

universal connector interface to a computer; and executing software for verifying

connection of the connected radiotelephone handset," (col. 4 lines 5-8, lines 50-57).

Lipsit clearly shows and discloses a method and apparatus for programming a

cellular telephone with activation parameters, reading on the claimed "build request," in

which the cellular telephone to be programmed is connected to a computer via a

communications interface. The computer determines the activation parameters based

on the inputted programming information, and transmits the activation parameters to the

telephone for storage in the cellular telephone memory. The user enters a cellular

telephone type in the area **404** of the user interface **400**. A picture of the telephone

selected by the user is displayed in area **408** of the user interface. When the user

selects a telephone type the appropriate graphics file is accessed, reading on the

claimed "comprising displaying handset specification data from the selected build

request," (abstract, figures 3A and 4, column 2 lines 56-60 and column 5 lines 40-65).

The combination of Moles and Tordera, in view of Lipsit, however, lacks the

claimed step of querying the connected handset via the universal provisioning interface

and comparing the connected handset specification data with the build request

specification data, therefore these limitations, in conjunction with the other limitations

recited in claim 29, are novel and unobvious in view of the combination of Moles,

Tordera and Lipsit.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on
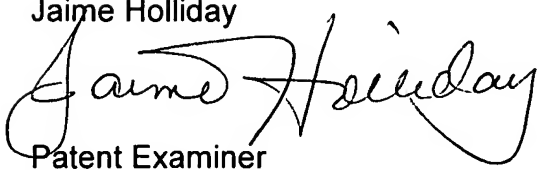
Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jaime M. Holliday whose telephone number is (571)

272-8618. The examiner can normally be reached on Monday through Friday 7:30am

to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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Business Center (EBC) at 866-217-9197 (toll-free).

Jaime Holliday

Patent Examiner

NICK CORSARO
PRIMARY EXAMINER